



**U.S. Department of Energy**  
**Office of River Protection**

**P.O. Box 450**  
**Richland, Washington 99352**

01-OSR-0225

Mr. Ron F. Naventi, Project Manager  
Bechtel National, Inc.  
3000 George Washington Way  
Richland, Washington 99352

Dear Mr. Naventi:

**CONTRACT NO. DE-AC27-01RV14136 – APPROVAL OF AUTHORIZATION BASIS  
CHANGE NOTICE (ABCN), ABCN-24590-01-00002**

On the basis of the enclosed safety evaluation, the Office of Safety Regulation (OSR) approves Authorization Basis Change Notice, ABCN-24590-01-00002 to the Integrated Safety Management Plan (ISMP) for the River Protection Project-Waste Treatment Plant (RPP-WTP). The approval is in response to your ABCN submittal dated June 5, 2001. The amendment application was noticed on the OSR website on June 7, 2001, and public comments were solicited. No public comments were received within the two week comment period.

The amendment revises several unrelated sections of the ISMP. The revisions include: (1) deletion of the Employee Concerns Program from the list of documents that constitute the RPP-WTP Authorization Basis, and (2) a change of regulatory authority for the RPP-WTP occupational safety and health program from the Occupational Safety and Health Administration (OSHA) and the Washington Industrial Safety and Health Administration (WISHA) to DOE. As part of the amendment, two OSHA-related programs were discontinued. The two discontinued programs are the OSHA Voluntary Protection Program and the North American Industry Classification System (NAICS) reporting system. Several changes that are administrative in nature were also included in the amendment.

As part of the amendment implementation process, please submit within 14 days of receipt of this letter the revised pages of the ISMP and an ISMP revision page identifying all ISMP revisions to date. This amendment is effective immediately and shall be fully implemented within 30 days, i.e., the provisions of the amendment may be used immediately; within 30 days, controlled copies of the ISMP and subordinate documents must be modified to reflect the changes associated with this amendment.

Mr. Ron F. Naventi  
01-OSR-0225

-2-

If you have any questions please contact Mr. George Kalman, OSR, (509) 372-0652. Nothing in this letter should be construed as changing the Contract, DE-AC27-01RV14136. If, in my capacity as the Safety Regulation Official, I provide any direction that your company believes exceeds my authority or constitutes a change to the Contract, you will immediately notify the Contracting Officer and request clarification prior to complying with the direction.

Sincerely,

OSR:GK

Robert C. Barr  
Safety Regulation Official  
Office of Safety Regulation

**Safety Evaluation Report (SER)  
of Proposed Authorization Basis Change Notice  
ABCN-24590-01-00002  
to the Integrated Safety Management Plan (ISMP)  
for the River Protection Project Waste Treatment Plant (RPP-WTP)  
by the Office of Safety Regulation (OSR)**

## **1. Introduction**

The RPP-WTP Authorization Basis is the composite of information provided by a Contractor in response to radiological, nuclear, and process safety requirements that is the basis on which the Safety Regulation Official grants permission to perform regulated activities. The Authorization Basis includes that information requested by the Contractor for inclusion in the Authorization Basis and subsequently accepted by the OSR. The Authorization Basis for the RPP-WTP includes the Integrated Safety Management Plan (ISMP). The ISMP defines a set of integrated activities that is directed toward the management or control of radiological, nuclear, and process hazards such that adequate protection is provided to workers, the public, and the environment. By letter dated June 5, 2001, the Contractor submitted a proposed amendment to the ISMP. This SER documents the OSR evaluation of the changes proposed by the Contractor.

The amendment proposes changes to several unrelated sections of the ISMP. The proposed changes include: (1) deletion of the employee concerns program from the list of documents that constitute the RPP-WTP Authorization Basis, (2) a change of regulatory authority for the RPP-WTP occupational safety and health program from the Occupational Safety and Health Administration (OSHA) and the Washington Industrial Safety and Health Administration (WISHA) to DOE, (3) discontinuation of participation in OSHA related reporting requirements as described in the North American Industry Classification System (NAICS), (4) discontinuation of participation in the OSHA Voluntary Protection Program, (5) discussion of the Memorandum of Understanding between DOE and OSHA would be deleted from the ISMP, (6) the roles of the Area Project Managers and the Engineering Manager are modified, and (7) revision numbers are deleted from Authorization Basis documents that are referenced in the ISMP.

## **2. Background**

### Employee Concerns Program

The employee concerns program was included in the Authorization Basis for a privatized RPP-WTP to establish a commitment to an employee concerns program for a privatized facility. The RPP-WTP will now be designed, constructed, commissioned, and operated as a DOE-owned facility. DOE Order 5480.29, "Employee Concerns Management" (updated to DOE Order 442.1.A, "Department of Energy Employee Concerns Program" as of February 26, 2001) includes appropriate criteria for a contractor employee concerns program for the design, construction, commissioning, and operations phases of a DOE-owned facility. DOE Order 5480.29 is incorporated by reference into the WTP-RPP design, construction, and commissioning contract. Accordingly, there is no need to establish a detailed set of employee concerns program commitments in the Authorization Basis.

### Occupational Safety and Health

Under the privatized contract, OSHA and WISHA were expected to administer the occupational safety and health program at the RPP-WTP. A Memorandum of Understanding between DOE and OSHA was in place to describe the interface between the agencies. As part of the OSHA program, the RPP-WTP privatized Contractor committed to participate in the Voluntary Protection Program and the NAICS reporting process. As an OSHA agreement state, Washington State would administer the OSHA program through WISHA. When the RPP-WTP concept was changed from a privatized facility to a DOE owned and operated facility, by statute, OSHA lost the authority to administer the occupational safety and health program at the RPP-WTP. The DOE occupational safety and health program, modeled on the OSHA program, was put in place.

### Administrative Changes

Several administrative changes were included in the proposed amendment. The Contractor recognized that by not including revision numbers with documents referenced in the ISMP, the ISMP would not need to be revised whenever the revision of any of the referenced documents was changed. The Contractor proposed to delete revision numbers from other Authorization Basis documents that are referenced in the ISMP.

An additional administrative change involves a change in the roles of the Area Project Managers and the Engineering Manager in dealing with approvals of Safety Design Class and Safety Design Significant features. This change was proposed to reflect the organizational structure of the new Contractor.

## **3. Evaluation**

### Employee Concerns Program

The employee concerns program is a recognized means for improving safety by providing a mechanism for employees to bring safety concerns to the attention of management and oversight groups. The ISMP, as developed under the privatized contract, required the privatized contractor to maintain an employee concerns program as part of the Authorization Basis. When the contract was changed to a design, construction, and commissioning contract, the DOE order describing the need and criteria for an employees concern program was referenced in the Contract. Essentially, the source of the criteria for an acceptable employee concerns program changed from the ISMP to the Contract.

As part of the Authorization Basis, the employee concerns program is subject to the Authorization Basis document change control protocol. Changes to the employee concerns program implemented under DOE Order 442.1A can be made outside the controls required by the Authorization Basis change protocol. However, the criteria included in DOE Order 442.1A are sufficiently prescriptive to ensure that a program, compliant with the Order, will be an effective employee concerns program.

The OSR inspection program will continue to exercise periodic oversight of the Contractor's employee concerns program. Based on the above evaluation, it does not appear that the

effectiveness of the Contractor's employee concerns program will change significantly if the program is deleted from the Authorization Basis.

As part of the implementation of this change, the Contractor should remove reference to the Employee Concerns Management System as a Standards Approval Deliverable in Table S7-1 of the Contract. The Contractor should initiate the revision of Table S7-1 as part of the next submitted Contract change request.

### Occupational Safety and Health

The proposed ISMP changes that affect the RPP-WTP occupational safety and health program reflect statutory requirements that are different for privately owned facilities and DOE owned facilities. Based on 42 U.S.C. 2101 (i), responsibility for occupational health and safety at the RPP-WTP changed from OSHA to DOE when the facility changed from a privately owned and operated facility to a DOE owned and operated facility. The DOE occupational safety and health program is based on the OSHA program and has similar features. The DOE program uses reporting categories equivalent to the NAICS reporting categories.

DOE has an OSHA-like voluntary protection program. However, participation in the program remains voluntary. Many of the features included in the OSHA Voluntary Protection Program are mandated at the RPP-WTP by Contract (RL/REG-2000-04, "Industrial Hygiene and Safety Oversight Plan," Appendix A, Industrial Hygiene and Safety Requirements). These requirements include a written worker protection program with policy, goals, and objectives, encouraging employee involvement, and implementing procedures that allow workers to stop work. Based on the above comparison, the OSR concludes that there is no adverse impact from changing to a DOE administered occupational safety and health program.

### Administrative Changes

Section 13.0 of the ISMP references other Authorization Basis documents. The references are intended to be a reference to the most current versions of the Authorization Basis documents being referenced. Currently, the references include the document name, the document alphanumeric designation and the revision number. Whenever, the referenced documents are revised, it is necessary to revise Section 13.0 of the ISMP to update the revision numbers of the references.

The proposed change would continue to reference the Authorization Basis documents by name and alphanumeric designation but without the revision notation. The referenced document, sans a revision notation, would imply that the document with the most current revision is being referenced by the ISMP. The proposed change is acceptable in that it reduces an administrative burden without changing the intent of the ISMP.

Another proposed change that is administrative in nature is a change in approval authority for safety design features. The roles of the Area Project Managers and the Engineering Manager in approving Safety Design Class and Safety Design Significant features were changed to reflect the Contractor's organizational responsibilities. The proposed change requires the Engineering Manager to approve final designs of Safety Design Class and Safety Design Significant features. Currently, the Area Project Managers have this responsibility. Although this change is a

function of the Contractor's organizational structure, it appears to represent a benefit on the basis of overall consistency. Consistency results when one person, the Engineering Manager, approves Safety Design Class and Safety Design Significant features for the entire facility rather than different individuals making that determination for parts of the facility under their purview.

The changes described above are administrative in nature. They should not affect safety concerns associated with the facility.

#### **4. Conclusion**

On the basis of the considerations described above, the OSR has concluded that there is reasonable assurance that the health and safety of the public and the workers will not be adversely affected by this proposed amendment. The proposed amendment complies with applicable laws, regulations, and RPP-WTP contractual requirements. Accordingly, based on this evaluation, the OSR approves the amendment to the ISMP as proposed by ABCN-24590-01-00002.